

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

NATIONAL AUTO WARRANTY SERVICES,
INC.,

Plaintiff,

vs.

GROUPE HFC, INC.,
D/B/A DISCOUNT WARRANTIES,
Defendant.

Case No. 4:04CV1512MLM

ORDER

On April 26, 2005, upon plaintiff's Suggestion of Bankruptcy of defendant Paul A. Hart, the court automatically stayed the cause of action against Paul A. Hart, severed Paul A. Hart from the cause of action against Groupe HFC, Inc. d/b/a Discount Warranties, and administratively closed plaintiff's case against Paul A. Hart. The administrative closure was subject to re-opening upon motion of either party at the conclusion of the bankruptcy proceedings.

Plaintiff has now filed a Motion to Lift Bankruptcy Stay Against Paul A. Hart, and to Administratively Reopen Plaintiff's Cause of Action Against Defendant Paul A. Hart. [Doc. 38] Plaintiff has provided the court with a copy of the Agreed Order Granting Dismissal of Chapter 7 Case With Prejudice for Six Months, attached to plaintiff's Motion as Exhibit 1. The court finds plaintiff's Motion should be granted.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion to Lift Bankruptcy stay against Paul A. Hart, and to Administratively Reopen Plaintiff's Cause of Action Against Defendant Paul A. Hart is **GRANTED**. [Doc. 38]

IT IS FURTHER ORDERED that the Clerk of the Court shall re-open this case against Paul A. Hart.

IT IS FURTHER ORDERED that defendant shall, within thirty (30) days of the date of this Order, respond to all previous Orders of this court since the Stay of Bankruptcy was

entered, and in addition, shall answer plaintiff's Interrogatories and Requests for Production previously propounded to defendant Paul A. Hart. The failure of defendant Paul A. Hart to respond to this Order may result in the entry of a default judgment against defendant Paul A. Hart individually.

IT IS FURTHER ORDERED that the Clerk of the Court shall mail copies of this Order to defendant Paul A. Hart as a non-participant in Electronic Case Filing at the following addresses which are the only addresses for defendant Paul A. Hart known to this court:

Paul A. Hart
11221 W. Highway 71
Austin, Texas 78735

Paul A. Hart
9008 Anderson Mill Road
Austin, Texas 78729-4503

In addition, the Clerk shall mail a copy of this Order to:

Wm. Paul Lawrence IV
Lawrence Arenella Satua, LLP
3600 Bee Caves Road, Suite 200
Austin, Texas 70746

/s/Mary Ann L. Medler
MARY ANN L. MEDLER
UNITED STATES MAGISTRATE JUDGE

Dated this 13th day of September, 2005.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

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